

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 Drayden D. Shumpert,

4 Plaintiff

5 v.

6 D. Madrid, et al.,

7 Defendants

2:15-cv-02273-JAD-EJY

**Order Granting Motions
to Lift Stay**

[ECF Nos. 45, 47]

8
9 On January 11, 2017, I stayed this excessive-force lawsuit that Drayden Shumpert brings
10 against a pair of correctional officers because a criminal case against Shumpert that was based on
11 the same altercation as this case remained pending in state court.¹ Shumpert pleaded guilty in
12 that state-court case and judgment of conviction was entered, so he now moves to lift the stay.²
13 The deadline to oppose the lift-stay request has long-since expired, and defendants have filed no
14 response. Because the purpose for the stay no longer exists,

15 IT IS HEREBY ORDERED that Shumpert's Motions to Lift Stay [ECF Nos. 45, 47] are
16 **GRANTED**. Defendants have until February 13, 2020, to renew their motion to dismiss,³ which
17 was pending (and denied without prejudice) when the stay was entered. Because the discovery
18 period has expired (and the scope of discovery was limited to exhaustion issues, *see* ECF No.
19 25), any party wishing to reopen discovery must file a proper motion to do so.

20 DATED: January 14, 2020

21 
22 Jennifer A. Dorsey
23 United States District Judge
24
25

26 ¹ ECF No. 32 (Stay Order).

27 ² ECF Nos. 45, 47.

28 ³ ECF No. 14.